

ONTARIO REGULATION 119/20
made under the
EMERGENCY MANAGEMENT AND CIVIL PROTECTION ACT

Made: April 3, 2020 (3:00 pm)
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Amending O. Reg. 82/20
(ORDER UNDER SUBSECTION 7.0.2 (4) - CLOSURE OF PLACES OF NON-ESSENTIAL BUSINESSES)

1. The first paragraph of Ontario Regulation 82/20 is amended by adding “and has been extended pursuant to section 7.0.7 of the Act” at the end.

2. The fourth paragraph of the Regulation is amended by striking out “subject to the advice and recommendations of public health officials” and substituting “subject to the *Occupational Health and Safety Act* and to the advice and recommendations of public health officials”.

3. The fifth paragraph of the Regulation is amended by striking out “Schedules 1 and 2” at the end and substituting “Schedules 1, 2 and 3”.

4. Schedule 1 to the Regulation is amended by adding the following section:

Effective date of amendments

0.1 The amendments made by Ontario Regulation 119/20 take effect at 11:59 p.m. on Saturday, April 4, 2020.

5. Subsection 1 (1) of Schedule 1 to the Regulation is revoked and the following substituted:

Closures

(1) Beginning at 11:59 p.m. on Saturday, April 4, 2020, each person responsible for a place of business that is not listed in Schedule 2 shall ensure that the place of business is closed.

6. Schedule 2 to the Regulation is revoked and the following substituted:

SCHEDULE 2
ESSENTIAL BUSINESSES

Supply chains

1. Businesses that supply other essential businesses or essential services within Ontario, or that supply businesses or services that have been declared essential in a jurisdiction outside of Ontario, with the support, products, supplies, systems, or services, including processing, packaging, warehousing, distribution, delivery, and maintenance necessary to operate.

Food

2. Businesses that primarily sell food, beverages and consumer products necessary to maintain households and businesses including:
 - i. Supermarkets and grocery stores.
 - ii. Convenience stores.
 - iii. Discount and big box retailers selling groceries.
 - iv. Restaurants (take-out, drive-through and delivery service only).
 - v. Beer and wine and liquor stores.

Services

3. Pharmacies.
4. Gas stations and other fuel suppliers.
5. Laundromats and drycleaners.
6. Security services for residences, businesses and other properties.

7. Vehicle and equipment repair and essential maintenance and vehicle and equipment rental services.
8. Courier, postal, shipping, moving and delivery services.
9. Funeral and related services.
10. Staffing services including providing temporary help.
11. Veterinary services (urgent care only) and other businesses that provide for the health and welfare of animals, including farms, boarding kennels, stables, animal shelters, zoos, aquariums and research facilities.
12. Home child care services of up to six children as permitted under the *Child Care and Early Years Act, 2014*, and child care centres for essential workers authorized to operate in accordance with Ontario Regulation 51/20 (Order Under Subsection 7.0.2 (4) of the Act - Closure of Establishments) made under the Act.
13. Hotels, motels, other shared rental accommodation including student residences, except for seasonal campgrounds and any pools, fitness centres, meeting rooms and other recreational facilities that may be part of the operations of these businesses.
14. Cheque cashing services.

Services restricted to alternative methods of sale except in exceptional circumstances

15. Stores that sell any of the following items and that provide them to the customer only through an alternative method of sale such as curb side pick-up or delivery, except in exceptional circumstances:
 - i. Hardware products.
 - ii. Vehicle parts and supplies.
 - iii. Pet and animal supplies.
 - iv. Office supplies and computer products including computer repair.
 - v. Safety supplies.

Financial services

16. Businesses that provide the following financial services:
 - i. Capital markets and related securities trading and advisory services.
 - ii. Banking/credit union activities including credit intermediation.
 - iii. Insurance.
 - iv. Land registration services.
 - v. Real estate agent services.
 - vi. Pension and benefits payment services.
 - vii. Financial services including payroll and payment processing and accounting and tax services.

Telecommunications and IT infrastructure/service providers

17. Information Technology (IT) services, including online services, software products and the facilities necessary for their operation and delivery.
18. Telecommunications providers and services (phone, internet, radio, cell phones etc.) and facilities necessary for their operation and delivery.
19. Newspapers, radio and television broadcasting.

Maintenance

20. Maintenance, repair and property management services strictly necessary to manage and maintain the safety, security, sanitation and essential operation of institutional, commercial, industrial and residential properties and buildings.

Transportation services

21. Businesses and facilities that provide transportation services, including,
 - i. transportation services provided by air, water, road, and rail, including taxis and other private transportation providers, and
 - ii. support services for transportation services, including,
 - A. logistical support, distribution services, warehousing and storage, truck stops and tow operators,

- B. services that support the operations and safety of transportation systems including maintenance and repairs, and
 - C. marinas, but only to the extent that the marina is necessary to enable individuals to access their primary place of residence.
22. Businesses that provide and support online retail, including by providing warehousing, storage and distribution of goods that are ordered online.

Manufacturing

23. Businesses that extract, manufacture, process and distribute goods, products, equipment and materials, including businesses that manufacture inputs to other manufacturers (e.g. primary metal/ steel, blow molding, component manufacturers, chemicals, etc. that feed the end-product manufacturer), regardless of whether those other manufacturers are inside or outside of Ontario, together with businesses that support and facilitate the movement of goods within integrated North American and global supply chains.

Agriculture and food production

24. Businesses that produce food and beverages, and agricultural products including plants, including by farming, harvesting, aquaculture, hunting and fishing.
25. Businesses that process, manufacture or distribute food, beverages, crops, agricultural products, animal products and by-products.
26. Businesses that support the food or agricultural products supply chains and the health and safety of food, animals and plants.

Construction

27. Construction projects and services associated with the healthcare sector, including new facilities, expansions, renovations and conversion of spaces that could be repurposed for health care space.
28. Construction projects and services required to ensure safe and reliable operations of, or to provide new capacity in, critical provincial infrastructure, including transit, transportation, energy and justice sectors beyond the day-to-day maintenance.
29. Critical industrial construction activities required for,
- i. the maintenance and operations of petrochemical plants and refineries,
 - ii. significant industrial petrochemical projects where preliminary work has already commenced,
 - iii. industrial construction and modifications to existing industrial structures limited solely to work necessary for the production, maintenance, and/or enhancement of Personal Protective Equipment, medical devices (such as ventilators), and other identified products directly related to combatting the Covid-19 pandemic.
30. Residential construction projects where,
- i. a footing permit has been granted for single family, semi-detached and townhomes,
 - ii. an above grade structural permit has been granted for condominiums, mixed use and other buildings, or
 - iii. the project involves renovations to residential properties and construction work was started before April 4, 2020.
31. Construction and maintenance activities necessary to temporarily close construction sites that have paused or are not active and to ensure ongoing public safety.

Resources and energy

32. Businesses that provide and ensure the domestic and global continuity of supply of resources, including mining, forestry, aggregates, petroleum, petroleum by-products and chemicals.
33. Electricity generation, transmission, distribution and storage and natural gas distribution, transmission and storage.

Community services

34. Businesses that deliver or support the delivery of services including:
- i. Sewage treatment and disposal.
 - ii. Collecting, transporting, storing, processing, disposing or recycling of any type of waste.
 - iii. Potable drinking water.
 - iv. Critical infrastructure repair and maintenance including roads, dams, bridges etc.
 - v. Environmental rehabilitation, management and monitoring, and spill clean-up and response.

- vi. Administrative authorities that regulate and inspect businesses.
- vii. Professional and social services that support the legal and justice system.
- viii. Government services including but not limited to policing and law enforcement, fire and emergency services, paramedics, coroner and pathology services, corrections and court services, licences and permits.

Research

- 35. Businesses and organizations that maintain research facilities and engage in research, including medical research and other research and development activities.

Health care and social services

- 36. Organizations and providers that deliver home care services or personal support services to seniors and persons with disabilities.
- 37. Businesses that sell, rent or repair assistive/mobility/medical devices, aids and/or supplies.
- 38. Regulated health professionals (urgent care only) including dentists, optometrists, chiropractic services, ophthalmologists, physical and occupational therapists and podiatrists.
- 39. Organizations that provide health care including retirement homes, hospitals, clinics, long-term care facilities, independent health facilities and mental health and addictions counselling supports.
- 40. Laboratories and specimen collection centres.
- 41. Manufacturers, wholesalers, distributors and retailers of pharmaceutical products and medical supplies, including medications, medical isotopes, vaccines and antivirals, medical devices and medical supplies.
- 42. Manufacturers, distributors and businesses that provide logistical support of or for products and/or services that support the delivery of health care in all locations.
- 43. Not-for-profit organizations that provide critical personal support services in home or residential services for individuals with physical disabilities.
- 44. Not-for-profit organizations that support the provision of food, shelter, safety or protection, and/or social services and other necessities of life to economically disadvantaged and other vulnerable individuals.

7. The Regulation is amended by adding the following Schedule:

SCHEDULE 3 REQUIREMENTS THAT APPLY TO BUSINESSES

Compliance

1. (1) The person responsible for a place of business that continues to operate shall ensure that the business operates in accordance with all applicable laws, including the *Occupational Health and Safety Act* and the regulations made under it.

(2) The person responsible for a place of business that continues to operate shall operate the business in compliance with the advice, recommendations and instructions of public health officials, including any advice, recommendations or instructions on physical distancing, cleaning or disinfecting.

Restricting access to businesses and providing alternative methods of sale

2. (1) Subject to subsection (2), the person responsible for a place of business that continues to operate and that engages in retail sales to the public, except for pharmacies and businesses that primarily sell food and beverages at retail, shall, to the fullest extent possible, restrict public access to the place of business by providing alternative methods of sale such as curbside pick-up or delivery.

(2) The person responsible for a place of business described in paragraph 15 of Schedule 2 shall restrict public access to the place of business and shall provide all items to the public using an alternative method of sale such as curbside pick-up or delivery, except in exceptional circumstances.

Short term rentals

3. (1) Every person who provides short term rentals in rental accommodations shall ensure that any rentals booked after April 4, 2020 are only provided to individuals who are in need of housing during the emergency period.

(2) Subsection (1) does not apply in respect of hotels, motels and student residences.

Open houses prohibited

4. Every person who is responsible for a business that provides real estate agent services shall ensure that the business does not host, provide or support any open house events.

Under the authority delegated by Order in Council 574/2020,
and with the agreement of other ministers as required under that delegation,

En vertu du pouvoir délégué par le décret 574/2020,
et avec l'accord d'autres ministres, tel qu'exigé dans le cadre de cette délégation,

Made by:

Pris par :

Le ministre du Développement économique, de la Création d'emplois et du Commerce

VICTOR FEDELI
Minister of Economic Development, Job Creation and Trade

Date and time made: April 3, 2020 (3:00 pm)

Date et heure : 3 avril 2020 (15 h 00)

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